

# **EXHIBIT D**

Transcript of Adesh Jain  
Conducted on March 19, 2018

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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

-----X

United States Equal Employment : Case No.:

Opportunity Commission, : 1:17cv1084

Plaintiff, : (AJT/JFA)

v. :

Camber Corporation, :

Defendant. :

-----X

Deposition of ADESH JAIN

TYSONS CORNER, VA

Monday, March 19, 2018

9:30 a.m.

Job No.: 182492

Pages: 1 - 91

Transcribed by: Christian Naaden

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A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFF, UNITED STATES EQUAL

EMPLOYMENT OPPORTUNITY COMMISSION:

JEFFREY STERN

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION -

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Deposition of ADESH JAIN, held at the offices

of:

PLANET DEPOS - Tysons Corner

8270 Greensboro Drive

Suite 110

McLean (Tysons Corner), VA 22102

Pursuant to agreement, before Anthony

Verndran, Digital Reporter in and for the State of

Virginia.

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C O N T E N T S

EXAMINATION OF ADESH JAIN PAGE

By Mr. Stern 7

E X H I B I T S

(Retained by counsel)

Exhibit 1 Ashok Pai chain of command

PAI000517 21

Exhibit 2 Training course records

PAI002330 and 31 30

Exhibit 3 E-mail string dated 9/8/14

EEOC000025 and 26 40

Exhibit 4 Email string dated 9/8/14

PAI000045 through 68 49

Exhibit 5 Email string dated 10/1/14

EVOC000163 through 165 57

Exhibit 6 Email string dated 10/1/14

PAI 000152 through 154 72

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Conducted on March 19, 2018

5 (17 to 20)

17	<p>1 So that is based on that refresher when this</p> <p>2 thing happened and what my involvement was during that</p> <p>3 time frame. That's what we talked about.</p> <p>4 I think it's still freeze.</p> <p>5 Q Once again, please, I didn't hear your last</p> <p>6 comment, I'm sorry.</p> <p>7 MR. VORNDRAN: This is the court reporter.</p> <p>8 The screen had just froze for a moment.</p> <p>9 MR. STERN: Now, is it working okay again?</p> <p>10 MR. VORNDRAN: Yeah. We're back.</p> <p>11 BY MR. STERN:</p> <p>12 Q Was your call with Atif before or after your</p> <p>13 talk with Bob?</p> <p>14 A Before. Bob and I talked last Friday, and</p> <p>15 Atif and I talked the day we received an e-mail two</p> <p>16 weeks ago. And again, that call was about something</p> <p>17 else, but I asked him about, hey, did he also receive</p> <p>18 this e-mail that talks about deposition.</p> <p>19 Q What else did the e-mail talk about?</p> <p>20 A I can pull the e-mail, but I think all it</p> <p>21 says was that you are requested or asked to be at the</p> <p>22 deposition and, if you would like to be subpoenaed,</p>	19	<p>1 Falls Church or Dayton, Ohio or some other location?</p> <p>2 A It's at corporate headquarters, 1984 Isaac</p> <p>3 Newton in Reston.</p> <p>4 Q Reston, Virginia 20190?</p> <p>5 A Yes, sir.</p> <p>6 Q And the phone number there to reach you is</p> <p>7 what?</p> <p>8 A I do not remember my office number, but my</p> <p>9 cell phone number is (571) 220-6722.</p> <p>10 Q I think you had mentioned you had given a</p> <p>11 deposition some years ago. Did that involve the</p> <p>12 deposition in a case about an employer?</p> <p>13 A No, sir. It was our suit against the company.</p> <p>14 So Avaya Government Solution sued a company, and this</p> <p>15 was company to company about a teaming</p> <p>16 agreement/subcontract.</p> <p>17 Q When did you start working for Avaya</p> <p>18 Government Solutions, I think you called it? When did</p> <p>19 you start with Avaya?</p> <p>20 A So I started with the same company 2001. The</p> <p>21 company name at that time was AC Technologies. That</p> <p>22 company was purchased by PEC Solutions I believe the</p>
18	<p>1 then please let me know. And then the time frame that</p> <p>2 he was asking me to be available is next week, and</p> <p>3 then I said I would be out of country starting this</p> <p>4 Friday for 10 days. And that's when we rescheduled it</p> <p>5 for today. That's what I --</p> <p>6 Q Do you have any plans to be out of country in</p> <p>7 June, July, or August of this year?</p> <p>8 A Not at this point. However, that's the time</p> <p>9 frame when kids are out. So, you know, sometimes I</p> <p>10 can't tell you what vacation plan we make, and we tend</p> <p>11 to make a lot of vacation at the last moment. So at</p> <p>12 this point we do not have any plan to be out of</p> <p>13 country during that time frame.</p> <p>14 Q You currently reside in Fairfax County,</p> <p>15 Virginia?</p> <p>16 A Yes, sir.</p> <p>17 Q Do you have any plans to move your residence</p> <p>18 outside of Virginia in June, July, or August of this</p> <p>19 year?</p> <p>20 A I do not.</p> <p>21 Q Now, your office at NikSoft Systems</p> <p>22 Corporation, is that at the corporate headquarters or</p>	20	<p>1 next year. PEC Solutions was purchased by Nortel, and</p> <p>2 we became Nortel Government Solutions. This business</p> <p>3 of Nortel was purchased by Avaya. We became Avaya</p> <p>4 Government Solutions, and then in 2004, 2005 time</p> <p>5 frame Avaya Government Solutions business -- this</p> <p>6 business was bought by Camber and we became Camber. So</p> <p>7 same company since 2001. I had been there until about</p> <p>8 two years ago.</p> <p>9 Q Let's talk briefly about your career with</p> <p>10 that chain of companies that you discussed a minute</p> <p>11 ago. And it's -- which way is easier, to go backwards</p> <p>12 from your last position at Camber or go forwards from</p> <p>13 I believe you said it was known as AC Tech? Was that</p> <p>14 the first one?</p> <p>15 A Yeah. Either way is fine. I can start with AC</p> <p>16 Tech. AC Tech --</p> <p>17 Q By all means, do so.</p> <p>18 A AC Technologies --</p> <p>19 Q Go ahead.</p> <p>20 A -- I was a program manager or a project</p> <p>21 manager. I don't remember exact title at that time. I</p> <p>22 was working on a contract, and then from there I</p>

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6 (21 to 24)

21	<p>1 became program director. And then when PEC Solutions</p> <p>2 bought us, within a year after that I became vice</p> <p>3 president.</p> <p>4 And then since then I have been vice</p> <p>5 president and general manager. So I would say probably</p> <p>6 2003, 2004 time -- 2003 time frame I had been vice</p> <p>7 president and general manager for my division. And the</p> <p>8 division responsibilities changed over time. So maybe</p> <p>9 I started out with about 80 people when I started out</p> <p>10 in 2003, and then by the time I left I was managing</p> <p>11 about 500-plus employees being a vice president and</p> <p>12 general manager of my division.</p> <p>13 Q Now, so this [inaudible] with more than 500</p> <p>14 employees, that was -- that was a responsibility you</p> <p>15 had at Camber?</p> <p>16 A That is correct. So in June of 2016 I had</p> <p>17 500-plus people under my business unit.</p> <p>18 MR. STERN: Anthony, if you could locate in</p> <p>19 your document package a one-page document, lower</p> <p>20 right-hand corner, the meeting initials are capital P-</p> <p>21 capital A-capital I, and the number is 000517. Single-</p> <p>22 page document PAI000517 in the lower right-hand</p>	23
22	<p>1 corner.</p> <p>2 MR. VORNDRAN: Got it, Jain I.</p> <p>3 MR. STERN: You can mark that. Thank you.</p> <p>4 Bob, you got it?</p> <p>5 MR. ORTBALS: Yeah. I got it.</p> <p>6 MR. VORNDRAN: Exhibit is placed in front of</p> <p>7 the witness.</p> <p>8 BY MR. STERN:</p> <p>9 Q Mr. Jain, directing your attention to this</p> <p>10 exhibit, the top there, Ashok Pai chain of command, it</p> <p>11 says, through Pai's employment to October 31st, 2014.</p> <p>12 And what's the first name and position listed there?</p> <p>13 A Michael Page [ph].</p> <p>14 Q Michael. With respect to your position then</p> <p>15 in October 2014, what was Mr. Page?</p> <p>16 A So Michael Page was running the business unit</p> <p>17 that used to be Avaya Government Solutions within</p> <p>18 Camber. So he was over in charge of what used to be</p> <p>19 Avaya Government Solutions and now became a business</p> <p>20 unit within Camber. And I directly reported to Mike</p> <p>21 Page.</p> <p>22 Q This entry for you immediately under Mr. Page</p>	24
	<p>1 says, VP. That's vice president. Was there any other</p> <p>2 part of that title that isn't depicted there? Vice</p> <p>3 president for some part, unit? Vice president of what?</p> <p>4 A I believe my unit was called Software</p> <p>5 Engineering Division.</p> <p>6 Q Was Vice President Page a reviewer or</p> <p>7 assessor of your performance at that time?</p> <p>8 A Correct. Yes.</p> <p>9 Q And the name directly underneath, it says</p> <p>10 Atif [sic] Khalil, center director. Is that Atif</p> <p>11 Khalil --</p> <p>12 A That --</p> <p>13 Q -- that you discussed?</p> <p>14 A Yes.</p> <p>15 Q Yes? Any other part of his title under you</p> <p>16 other than center director?</p> <p>17 A No. We didn't name the centers. So there was</p> <p>18 -- I mean, his title was center director, but there</p> <p>19 was no name for that center. I think, if anything, we</p> <p>20 might have called that center DOJ EOIR because he was</p> <p>21 running that program.</p> <p>22 Q DOJ, that's United States Department of</p>	

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11 (41 to 44)

41	<p>1 MR. VORNDRAN: Okay.</p> <p>2 MR. STERN: This is what? Exhibit 3?</p> <p>3 MR. VORNDRAN: Yes, sir.</p> <p>4 BY MR. STERN:</p> <p>5 Q Mr. Jain, this is a brief Camber e-mail</p> <p>6 string Lisa Thompson, Atif Khalil, copy you. The</p> <p>7 subject, transition request HR-5 on September 8th,</p> <p>8 2014?</p> <p>9 A Uh-huh.</p> <p>10 Q That's a yes, affirmative?</p> <p>11 A Yes.</p> <p>12 Q And the top of the first page, that EEOC25,</p> <p>13 the right top there it says, from Lisa Thompson to</p> <p>14 Atif, copy to you; correct?</p> <p>15 A Yes.</p> <p>16 Q And it's dated Monday, September 8th, 11:42</p> <p>17 a.m.?</p> <p>18 A Yes.</p> <p>19 Q And that is Lisa's response to immediately</p> <p>20 following e-mail string from Atif at 11:08 a.m. saying</p> <p>21 nay to Lisa Thompson, copy you?</p> <p>22 A Yes.</p>	43	<p>1 the western states."</p> <p>2 Was this e-mail string the first time you had</p> <p>3 heard or learned anything about Mr. Pai expressing an</p> <p>4 interest to explore a possibility of transferring to</p> <p>5 Southern California or western states?</p> <p>6 A Yes.</p> <p>7 MR. STERN: Anthony, the next exhibit lower</p> <p>8 right-hand corner, production number is PAI, P-A-I,</p> <p>9 000045 through 68.</p> <p>10 MR. VORNDRAN: There we go. Labeling now.</p> <p>11 Here you go, sir.</p> <p>12 BY MR. STERN:</p> <p>13 Q Are you ready to talk about exhibit 4 to your</p> <p>14 deposition?</p> <p>15 A Yes.</p> <p>16 Q If you -- exhibit 4 to this deposition is an</p> <p>17 e-mail string from Lisa Thompson to Atif Khalil and a</p> <p>18 copy to you, subject transition request, top of the</p> <p>19 first page dated Thursday, September 18 at 1:22 p.m.?</p> <p>20 A Yes.</p> <p>21 Q And the earliest e-mail in the string on the</p> <p>22 third page of this exhibit is the e-mail from Mr. Pai</p>
42	<p>1 Q In that e-mail string Mr. Khalil asked Lisa</p> <p>2 Thompson -- he writes, "Ashok returned from California</p> <p>3 this week and has decided to move back home, realizing</p> <p>4 he's unable to continue working on the east coast.</p> <p>5 Please see this e-mail below." He then asks, "Is this</p> <p>6 sufficient for the displacement letter? I will move</p> <p>7 forward with creating the req and identify a</p> <p>8 replacement as soon as I hear back from you." Correct?</p> <p>9 A Yes.</p> <p>10 Q And she responds, "This is sufficient for</p> <p>11 resignation purposes, and we will have it effective</p> <p>12 10/31/14. If anything changes, let me know. Thanks."</p> <p>13 A Yes.</p> <p>14 Q Mr. Khalil had forwarded it towards the</p> <p>15 bottom there an e-mail from Mr. Pai on the same day</p> <p>16 about a half hour before. That is 10:32 a.m.?</p> <p>17 A Yes.</p> <p>18 Q Mr. Pai wrote, "Hi Atif. As discussed, my</p> <p>19 family medical issues have become increasingly severe</p> <p>20 precluding our planned relocation to D.C. metro area,</p> <p>21 and I am compelled to explore the possibility of a</p> <p>22 transfer to the Southern California area or to any of</p>	44	<p>1 to Khalil on Monday, September 8th at 9:33 a.m.</p> <p>2 Subject is exploring transfer possibilities?</p> <p>3 A Yes.</p> <p>4 Q First page of this exhibit, the e-mail to</p> <p>5 which Lisa Thompson is responding. It's from Khalil.</p> <p>6 It's about halfway down the first page. Sent</p> <p>7 [inaudible] September 18, 2014, 12:41 p.m.?</p> <p>8 A Yes.</p> <p>9 Q Who is Lisa Thompson?</p> <p>10 A HR, human resources specialist or whatever</p> <p>11 her title was.</p> <p>12 Q Where was she stationed?</p> <p>13 A Fair Lakes, Virginia.</p> <p>14 Q Atif wrote to Lisa at the time, "See Ashok's</p> <p>15 e-mail below. He plans to leave the project effective</p> <p>16 10/31/14 with notice to the immediate Camber employer-</p> <p>17 employee supporting not billable work from</p> <p>18 California."</p> <p>19 Atif writes further, "As far as I know,</p> <p>20 that's not an option we are offering him."</p> <p>21 What did you know about options that were or</p> <p>22 were not offered to Mr. Pai?</p>

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12 (45 to 48)

45	<p>1 A Nothing really. This is program operations in</p> <p>2 general, and program manager directly work with our</p> <p>3 human resources. And then sometimes I'm copied on the</p> <p>4 request like this so that I'm aware of what is going</p> <p>5 on.</p> <p>6 Q Atif went on to write, "Based on this,"</p> <p>7 referring to Mr. Pai, "based on his 9/08/14 e-mail,</p> <p>8 could you," -- that's Lisa -- "generate a separation</p> <p>9 letter so he's clear on his options? Deidra also</p> <p>10 offered him FMLA. So I don't know how that plays into</p> <p>11 this situation."</p> <p>12 Who's -- who's Deidra?</p> <p>13 A She's also human resources, and then I'm not</p> <p>14 sure if she is manager of Lisa or peer to Lisa. I</p> <p>15 don't remember that.</p> <p>16 Q Was she also stationed in Fair Lakes or some</p> <p>17 other place?</p> <p>18 A No. I believe she was in Huntsville.</p> <p>19 Q Khalil goes on to write, "We have notified my</p> <p>20 client that Ashok will be leaving the project</p> <p>21 effective 10/31/14, and we have started searching for</p> <p>22 a replacement, per their directions."</p>	47	<p>1 A Yes.</p> <p>2 Q And continued to do so when Camber -- after</p> <p>3 Camber acquired Avaya?</p> <p>4 A Yes.</p> <p>5 Q Other than these e-mail strings that we've</p> <p>6 been going through, other than -- that that, did you</p> <p>7 have any understanding of Mr. Pai's son's condition or</p> <p>8 hospitalization?</p> <p>9 A No. I did not. [inaudible].</p> <p>10 MR. STERN: Pardon. I didn't hear the last</p> <p>11 comment. Did someone make a comment? I thought I heard</p> <p>12 something but couldn't understand it.</p> <p>13 MR. VORNDRAH: This is the court reporter. He</p> <p>14 had just said that the screen cut out. He was letting</p> <p>15 me know. We can hear you, but we cannot see you.</p> <p>16 MR. STERN: Can't see me?</p> <p>17 MR. VORNDRAH: We cannot see anybody. Just a</p> <p>18 black screen. But if you can hear us --</p> <p>19 MR. STERN: Bob, can you hear?</p> <p>20 MR. ORTBALS: Yeah. I'm here. I'm hearing</p> <p>21 everything fine.</p> <p>22 MR. STERN: Can you see everything fine?</p>
46	<p>1 Who was the client referenced regarding</p> <p>2 Ashok?</p> <p>3 A DOJ EOIR.</p> <p>4 Q Direct your attention to the third page of</p> <p>5 this exhibit. We're looking at Mr. Pai's first e-mail</p> <p>6 to Khalil. Let me know when you're there. We'll talk</p> <p>7 about that briefly.</p> <p>8 A I'm here.</p> <p>9 Q That portion of the string is an e-mail from</p> <p>10 Mr. Pai at EOIR, Monday, September 8th at 9:33 a.m. to</p> <p>11 Atif, also -- also the EOIR, subject exploring</p> <p>12 transfer possibilities?</p> <p>13 A Yes.</p> <p>14 Q Mr. Pai wrote, "Came over a couple times to</p> <p>15 your office this morning. I want -- because I want to</p> <p>16 explore possibilities of transferring within Camber."</p> <p>17 Goes on to say, "My son's hospitalization has</p> <p>18 emphasized the need for me to be near my family, and</p> <p>19 though not urgent, I need to plan for it."</p> <p>20 Mr. Pai had -- had worked in your unit --</p> <p>21 business unit that was servicing EOIR before it became</p> <p>22 Camber; yes?</p>	48	<p>1 MR. ORTBALS: Yeah. I can still see</p> <p>2 everything.</p> <p>3 MR. STERN: I've got three pictures with the</p> <p>4 picture here. I can see Mr. Jain. I can see Bob. I can</p> <p>5 see myself. Shall we continue, or shall we get some</p> <p>6 technical assistance to get the screen at the court</p> <p>7 reporter's office to illuminate?</p> <p>8 MR. VORNDRAH: So I actually am a technician</p> <p>9 when it comes to these things as well. I -- I have no</p> <p>10 problem proceeding, if you guys don't have an issue</p> <p>11 with it. It looks like we're back up now. If it</p> <p>12 continues, we can reset the system, but it looks like</p> <p>13 we're good.</p> <p>14 MR. STERN: Okay. Then we'll just keep on</p> <p>15 keeping on.</p> <p>16 MR. VORNDRAH: Sorry for the interruption.</p> <p>17 MR. STERN: No problem.</p> <p>18 MR. STERN: Well, in segment I lost my last</p> <p>19 question. What -- what was the last question I asked,</p> <p>20 Anthony? Can you just --</p> <p>21 MR. VORNDRAH: I am going to play that back</p> <p>22 because I'm a digital reporter today.</p>

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13 (49 to 52)

49	<p>1 My playback is having issues. I'm going to</p> <p>2 have to go off the record and play back the last</p> <p>3 question. Is that okay?</p> <p>4 MR. STERN: Okay.</p> <p>5 THE WITNESS: I think I already answered</p> <p>6 that. It was after that one more question.</p> <p>7 MR. STERN: I think mister -- Mr. Jain</p> <p>8 actually caught what my last question is, and while I</p> <p>9 still have it in my mind I -- I think we're ready to</p> <p>10 go back on whenever Anthony, you can get ready to --</p> <p>11 MR. VORNDRAN: Yeah.</p> <p>12 MR. STERN: -- go back on the record.</p> <p>13 MR. VORNDRAN: Yes, sir. I am ready.</p> <p>14 BY MR. STERN:</p> <p>15 Q Mr. Jain, it is my understanding that other</p> <p>16 than these e-mail strings that we've been looking at,</p> <p>17 you didn't at that time know anything about Mr. Pai's</p> <p>18 son's condition, hospitalization mentioned in an e-</p> <p>19 mail?</p> <p>20 A That's correct. I did not know that.</p> <p>21 Q Mr. Jain, directing your attention to the e-</p> <p>22 mail at the bottom of the first page of this string,</p>	51	<p>1 Corporation being a rapidly growing company,</p> <p>2 cybersecurity being a major growth area. He narrates</p> <p>3 various cybersecurity certifications that he has?</p> <p>4 A Yes.</p> <p>5 Q When Camber was either putting in a bid or --</p> <p>6 or anticipating responding to a request for proposals</p> <p>7 for projects, did Camber evaluate which of their</p> <p>8 existing staff might be assets for anticipated</p> <p>9 business that hadn't yet been sold and funded?</p> <p>10 A It really depends on what is being asked in</p> <p>11 that request for proposal. Typically, RFP would have</p> <p>12 key personnel requirements, and then if we need to</p> <p>13 find those key personnel prior to the bid, then</p> <p>14 typically we would look for those key personnel within</p> <p>15 the company.</p> <p>16 Anything outside of that, we will never do</p> <p>17 that. We never did that, but within the key personnel</p> <p>18 constraint our preference would be to have people</p> <p>19 within the company to be able to find.</p> <p>20 Q Was there many cybersecurity or other Camber</p> <p>21 business that was being perhaps put together in an RFP</p> <p>22 or were anticipated to do so between March and the end</p>
50	<p>1 I'm looking at page 54065 in the lower right-hand</p> <p>2 corner. It's the first page of exhibit 4. Looking at</p> <p>3 the e-mail portion of the string starting at the</p> <p>4 bottom there from Mr. Pai to Atif Khalil, September 18</p> <p>5 at 12:25 p.m.</p> <p>6 A Yes.</p> <p>7 Q Mr. Pai writes, among other things, "As a</p> <p>8 couple of Camber team members have stated this, I must</p> <p>9 point out I have not resigned."</p> <p>10 Have you heard anything about Camber team</p> <p>11 members saying anything about Mr. Pai having resigned?</p> <p>12 A No. I have not.</p> <p>13 Q Mr. Pai continues to write now at the top of</p> <p>14 page 66, second page of this exhibit.</p> <p>15 A Yes.</p> <p>16 Q And he writes in the first full paragraph</p> <p>17 there, "I am requesting a transfer here to the</p> <p>18 Southern California region." And goes on to say that,</p> <p>19 "As you," meaning Atif, "wanted to plan [inaudible]</p> <p>20 and graciously suggested October 31, 2014, I put that</p> <p>21 date in my transition request."</p> <p>22 Then he goes on to [inaudible] Camber</p>	52	<p>1 of 2014, specifically in Southern California?</p> <p>2 A Not that I remember anything. No.</p> <p>3 Q Still on page two of this exhibit marked</p> <p>4 number 66 in the lower right-hand corner --</p> <p>5 A Uh-huh.</p> <p>6 Q -- Mr. Pai goes on to write, "If it's not</p> <p>7 possible" -- starting in the middle of the page there,</p> <p>8 "If it's not possible to justify my current salary</p> <p>9 when non-billable, my pay would be temporarily reduced</p> <p>10 with -- not with family leave. In Southern California</p> <p>11 my expenses are much less."</p> <p>12 What's your understanding as to what non-</p> <p>13 billable meaning at Camber in 2014? What's not</p> <p>14 billable hours?</p> <p>15 A Non-billable would mean that anybody who is</p> <p>16 not on a project. So -- so anybody who is not working</p> <p>17 for the program, we are a project-based organization.</p> <p>18 So all my programs under my portfolio were customer-</p> <p>19 billable programs. And anybody who is not on that</p> <p>20 customer program would be a non-billable person.</p> <p>21 Q Mr. Pai goes on to write, "I can contribute</p> <p>22 by creating and delivering training programs."</p>

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Conducted on March 19, 2018

14 (53 to 56)

53	<p>1 Are training programs and those being</p> <p>2 delivered by non-billable hours at Camber?</p> <p>3 <b>A I didn't have any training programs. I'm not</b></p> <p>4 <b>sure what this is about. I didn't have any training</b></p> <p>5 <b>programs within my BU.</b></p> <p>6 <b>Q Within your what?</b></p> <p>7 <b>A Business unit.</b></p> <p>8 <b>Q Oh, BU, business unit. Got it. And you --</b></p> <p>9 <b>right? That was BU?</b></p> <p>10 <b>A Correct.</b></p> <p>11 <b>Q Letter B, letter --</b></p> <p>12 <b>A Correct.</b></p> <p>13 <b>Q Business unit?</b></p> <p>14 <b>A Correct.</b></p> <p>15 <b>Q It goes on to write, "As well as helping you</b></p> <p>16 <b>with business development and proposal writing for a</b></p> <p>17 <b>cyber security share point [inaudible] in your BL."</b></p> <p>18 <b>Does BL ring a bell for you?</b></p> <p>19 <b>A BI would be business intelligence.</b></p> <p>20 <b>Q What is business intelligence?</b></p> <p>21 <b>A Business intelligence is collecting all this</b></p> <p>22 <b>data and making information out of that, such as</b></p>	55	<p>1 be focused on the delivery aspect and there are</p> <p>2 multiple business unit within Camber. So we were, I</p> <p>3 think, one of the three business units that Camber had</p> <p>4 overall.</p> <p>5 Then, there is a business development growth</p> <p>6 called strategic business development, SDB [sic]. And</p> <p>7 the proposal writing department and the business</p> <p>8 development folks would be in that business unit or in</p> <p>9 that growth, but -- and then, we'd select proposals so</p> <p>10 then they decide and sometimes that word they is more</p> <p>11 than just them. They will work with a division VP like</p> <p>12 myself to say okay. I want to go after this proposal</p> <p>13 and have a discussion.</p> <p>14 So once that decision has been made to go</p> <p>15 after that bid, most of the work would be done by SDB</p> <p>16 organization that has proposal people and business</p> <p>17 development folks. But some of the subject matter</p> <p>18 expert writing would come from the business unit and</p> <p>19 they would rely on the business unit to help write</p> <p>20 those proposal, which, in that case, would be my</p> <p>21 business unit if it is something to do with my</p> <p>22 business unit.</p>
54	<p>1 analytics stuff that people do and a BI analyst would</p> <p>2 make sense out of the data. Create reports, you know,</p> <p>3 do analysis of the data, and things like that. So</p> <p>4 that's BI.</p> <p>5 <b>Q Did your unit, business unit, have anyone</b></p> <p>6 <b>working on new business development or proposal</b></p> <p>7 <b>writing for cyber security or share point migrations</b></p> <p>8 <b>or this business intelligence we discussed?</b></p> <p>9 <b>A I never had a dedicated person to do proposal</b></p> <p>10 <b>writing. Unfortunately, we never could really afford</b></p> <p>11 <b>to do that so I had pretty much center directors</b></p> <p>12 <b>pitching in whenever the proposal need was there. And</b></p> <p>13 <b>then, center director in turn might pull other people</b></p> <p>14 <b>that might know more about that capabilities to help</b></p> <p>15 <b>write that proposal.</b></p> <p>16 <b>Q And time spent on proposal writing was not --</b></p> <p>17 <b>in your business unit was not billed to the customer,</b></p> <p>18 <b>was it?</b></p> <p>19 <b>A It's a little bit more complex, but I can</b></p> <p>20 <b>attempt to explain. So we have business units. So at</b></p> <p>21 <b>that time, like within the business unit of Michael</b></p> <p>22 <b>Page, there were three divisions. That would primarily</b></p>	56	<p>1 And then, I, in turn, would find people and,</p> <p>2 in most cases, it was center directors pitching in to</p> <p>3 write that piece of the proposal.</p> <p>4 <b>Q The subject matter persons that would be</b></p> <p>5 <b>assisting in proposal writing on a particular subject,</b></p> <p>6 <b>their time on that is not -- was their time on that</b></p> <p>7 <b>billed to their then existing customer?</b></p> <p>8 <b>A No, sir. So if they worked on that proposal,</b></p> <p>9 <b>many times that work would be done outside of those</b></p> <p>10 <b>billable hours. And in some cases -- so they will</b></p> <p>11 <b>spend time, big nights or weekends, and that would not</b></p> <p>12 <b>be billable to the customer.</b></p> <p>13 And in some cases, if something very urgent</p> <p>14 that they have to work on, then they will request time</p> <p>15 off from that customer project and help with that</p> <p>16 proposal. And that time also would not be billable to</p> <p>17 the customer.</p> <p>18 <b>Q In the time period that we've been</b></p> <p>19 <b>discussing here concerning Mr. Pai, which is basically</b></p> <p>20 <b>the middle of 2014 -- from March 2014 until the</b></p> <p>21 <b>termination of his job at the end of October 2014,</b></p> <p>22 <b>there were approximately -- if I understand your</b></p>

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Transcript of Adesh Jain  
Conducted on March 19, 2018

15 (57 to 60)

57	<p>1 earlier testimony correct -- probably 250 employees in</p> <p>2 -- under your jurisdiction as VP?</p> <p>3 <b>A Correct. Approximately. Correct.</b></p> <p>4 Q Approximately. Were any of those employees</p> <p>5 working on non-billable work during that period? Such</p> <p>6 as assisting SBD, being subject matter person,</p> <p>7 development of business, and so forth?</p> <p>8 <b>A So, like I said before, sir, if there were</b></p> <p>9 <b>people working for those non-billable activities, in</b></p> <p>10 <b>majority of the cases, those would be just the center</b></p> <p>11 <b>directors.</b></p> <p>12 <b>In -- like I said, in very few cases, it</b></p> <p>13 <b>would be people below the center director only when</b></p> <p>14 <b>needed and that will be decided by the center director</b></p> <p>15 <b>that are here. I need to reach out to this and this</b></p> <p>16 <b>person because he's the subject matter expert on that</b></p> <p>17 <b>particular piece of work.</b></p> <p>18 Q Directing your attention briefly to the third</p> <p>19 page of this exhibit. That's document page PA167 in</p> <p>20 the lower right-hand corner.</p> <p>21 <b>A Yes.</b></p> <p>22 Q Mr. Pai's concluding remarks at the bottom of</p>	59	<p>1 Q You wrote the -- that e-mail at the top of</p> <p>2 the first page. Yes?</p> <p>3 <b>A Yes.</b></p> <p>4 Q And a bold part above that Whitten comma</p> <p>5 Deborah, is that indicating that that was the user who</p> <p>6 printed this e-mail string that we're looking at?</p> <p>7 <b>A Sorry. What's your --</b></p> <p>8 Q Does the bold part at the very top of the</p> <p>9 first page, it says Whitten comma Deborah in bold</p> <p>10 followed by a line. Is that -- does that inform you</p> <p>11 that that was the user who printed this particular</p> <p>12 document?</p> <p>13 <b>A That is the user to -- I'm -- that is the</b></p> <p>14 <b>user --</b></p> <p>15 Q It was Deborah Whit- -- yeah. Was Deborah</p> <p>16 Whitten the Camber e-mail user who printed this</p> <p>17 specimen?</p> <p>18 <b>A I believe so because of the way it is</b></p> <p>19 <b>printed. Correct.</b></p> <p>20 Q This was an e-mail from you to Deborah;</p> <p>21 right?</p> <p>22 <b>A Correct.</b></p>
58	<p>1 that e-mail was September 8th, 9:33 A.M. at the bottom</p> <p>2 of that page. "I want to explore the possibility of</p> <p>3 supporting cyber security proposals for Camber and</p> <p>4 being able to reunite with your family."</p> <p>5 Was anyone shopping, preparing a cyber</p> <p>6 security proposal for Camber at that time?</p> <p>7 <b>A Not that I'm aware of. No, sir.</b></p> <p>8 Q And the name of the next exhibit, I guess,</p> <p>9 this will be Jain dep Exhibit 5, is a three-page</p> <p>10 document. Lower right-hand corner, production number</p> <p>11 EVOC000163, 164, 165.</p> <p>12 <b>A Okay.</b></p> <p>13 Q Mr. Jain, let me know when you're ready to</p> <p>14 discuss this exhibit.</p> <p>15 <b>A I'm ready.</b></p> <p>16 Q This exhibit is a three-page e-mail string.</p> <p>17 Starting at the top of the first page, an e-mail from</p> <p>18 you on Wednesday, October 1st, 2014, 12:59 P.M. to</p> <p>19 Deborah Whitten, with copies to Lisa Thompson and</p> <p>20 Atif. The subject is forwarding replacement of Ashok</p> <p>21 Pai?</p> <p>22 <b>A Yes.</b></p>	60	<p>1 Q And the forwarded e-mail below -- again,</p> <p>2 we're still on that first page, 163, about the middle</p> <p>3 from Atif.</p> <p>4 <b>A Yes.</b></p> <p>5 Q The same day, Wednes- -- October 1st, 11:20</p> <p>6 a.m.? Replacement of Ashok Pai. That Mr. Khalil's e-</p> <p>7 mail to Lisa; right?</p> <p>8 <b>A Yes.</b></p> <p>9 Q And that's Khalil's response to a question on</p> <p>10 an e-mail on page 164? It's the second page of this</p> <p>11 exhibit. From Deborah Whitten to Lisa.</p> <p>12 <b>A Yes.</b></p> <p>13 Q And that question e-mail from Deborah to Lisa</p> <p>14 was prompted by Atif's e-mail at the bottom of the</p> <p>15 second page to Lisa Thompson?</p> <p>16 <b>A Yes.</b></p> <p>17 Q Where he's answering her and he attaches a</p> <p>18 copy on the third page of an e-mail from Howard Meyer</p> <p>19 to Atif?</p> <p>20 <b>A Yes.</b></p> <p>21 Q How did you learn that Atif had sent the e-</p> <p>22 mail at the bottom of the first page? It's all part of</p>

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Conducted on March 19, 2018

16 (61 to 64)

61	63
<p>1 the string, but I didn't see you listed as a CC</p> <p>2 recipient of Atif's e-mail to Lisa Thompson, bottom</p> <p>3 half of the first page of this Exhibit Number 5 to</p> <p>4 your deposition. How did you learn that that e-mail</p> <p>5 had been sent?</p> <p>6 A I do not remember, but I can say one of the</p> <p>7 two things. Either he send that e-mail to me and then</p> <p>8 I forwarded that to Deborah without his notes to me.</p> <p>9 Could be one option. Or he might have blank copied me,</p> <p>10 which I doubt.</p> <p>11 Q Do you recognize any of the handwriting in</p> <p>12 the middle right-hand side of the first page of this</p> <p>13 exhibit?</p> <p>14 A No. I do not.</p> <p>15 Q Looking at your e-mail to Deborah, the top of</p> <p>16 the first page --</p> <p>17 A Uh-huh.</p> <p>18 Q You wrote I understand -- "Yes. I understand</p> <p>19 this is a difficult situation and we need to comply --</p> <p>20 be compliant with rules and regulations."</p> <p>21 What was the difficult -- difficulty you are</p> <p>22 referencing? What is difficult?</p>	<p>1 that would impact his ability to do his job and those</p> <p>2 are the kind of things he would make me aware. And --</p> <p>3 and the e-mail is not necessarily the only way for me</p> <p>4 to be aware of those things.</p> <p>5 Q You went on to write, "We need to be</p> <p>6 compliant with rules and regulations."</p> <p>7 What rules and regulations were you concerned</p> <p>8 about when you wrote that?</p> <p>9 A So my concern is making sure that all the</p> <p>10 things that we as HR when we do termination, which</p> <p>11 they are responsible and accountable for. So when HR</p> <p>12 is taking that action, they have to cross the I's, dot</p> <p>13 the T's and there could be so many different rules</p> <p>14 that they have to make sure they are complying with.</p> <p>15 So that's why I meant in that e-mail when I said rules</p> <p>16 and regulation.</p> <p>17 Really, the intent behind that e-mail is to</p> <p>18 make sure that HR is on top of these actions and</p> <p>19 diligently working efficiently to -- to stay on top of</p> <p>20 it. So HR job is to make sure that they are doing the</p> <p>21 termination correct- -- rightfully, making sure</p> <p>22 they're meeting all the rules, and our job on</p>
62	64
<p>1 A Based on my recollection, basically, these</p> <p>2 are day-to-day operational issues for all programs.</p> <p>3 When that happens, if customer asks for the removal of</p> <p>4 a person or -- there's so many different reasons that</p> <p>5 person could be removed. The program manager work with</p> <p>6 human resources to take action and in this case, I</p> <p>7 guess it was taking him longer than it should and</p> <p>8 probably rightfully so, that human resources had to</p> <p>9 make sure that it is a legitimate termination.</p> <p>10 But it was taking longer and he needed my</p> <p>11 help to facilitate that termination and which is why I</p> <p>12 was saying that we understand this might be more</p> <p>13 complex or difficult. But kind of stay on top of it</p> <p>14 and let's try to make sure that we are engaged</p> <p>15 completely to take that action.</p> <p>16 Q Now, the term of your e-mail you're</p> <p>17 discussing on October 1st, 2014, you had talked to</p> <p>18 Atif about the termination of Mr. Pai?</p> <p>19 A I would think so. We have monthly program</p> <p>20 reviews and he was direct report. So we had -- at this</p> <p>21 one, I can't recall, but maybe weekly communication.</p> <p>22 So -- so I would say I was aware of his challenges</p>	<p>1 operation side is to make sure we are fulfilling the</p> <p>2 requirements of the customer. And then, together, we</p> <p>3 make sure that everything is being done correctly.</p> <p>4 Q Your e-mail goes on to say, "We've been going</p> <p>5 back and forth on this issue to the point the customer</p> <p>6 is getting frustrated."</p> <p>7 How did you learn about customer frustration</p> <p>8 with respect to termination of Mr. Pai?</p> <p>9 A That would be to Atif. That goes back to my</p> <p>10 previous comment that our job is to make sure we are</p> <p>11 fulfilling the requirement of the customer on the</p> <p>12 operations side and making sure we never have a</p> <p>13 complaint from the customer.</p> <p>14 Q What did you learn from Atif about customer</p> <p>15 frustration in this instance?</p> <p>16 A There was overall, I would say,</p> <p>17 dissatisfaction on the customer side for the</p> <p>18 responsibilities that Ashok was responsible for and</p> <p>19 not getting that work done. And those issues must have</p> <p>20 been reported either directly to Atif or through</p> <p>21 Atif's direct report about getting the work done. And</p> <p>22 my general impression through Atif about Ashok Pai was</p>

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17 (65 to 68)

65	67
<p>1 there were a lot of absences and the work was not</p> <p>2 getting done in the timely manner.</p> <p>3 Q Your email sent to Deborah Whitten goes on to</p> <p>4 say, "I believe we have done everything required from</p> <p>5 our side and are taking very minimal risk to terminate</p> <p>6 this employee."</p> <p>7 Risk of what? What are you referring to?</p> <p>8 A I think -- I'm not sure what I meant by</p> <p>9 minimal risk. Maybe I'm speaking to more than what HR</p> <p>10 should be responsible for. So maybe I'm speaking for</p> <p>11 HR when I say I'm taking minimal risk. So the first</p> <p>12 sentence -- first part of that sentence is, hey,</p> <p>13 whatever you asked of us, in order to terminate the</p> <p>14 employee, we have given everything that you asked for.</p> <p>15 And the second part of the sentence, I guess the</p> <p>16 intent behind that is from HR perspective. Whatever</p> <p>17 risks you think you are taking is minimal. That's more</p> <p>18 of an opinion.</p> <p>19 Q You went on to write, "Let me know if we need</p> <p>20 to discuss this or if we need to get someone else</p> <p>21 involved."</p> <p>22 Did there come a time when you did discuss</p>	<p>1 termination, it needs to be client request due to</p> <p>2 changing requirements for the job for which he is not</p> <p>3 qualified or the client specifically requests that he</p> <p>4 is removed."</p> <p>5 Is that your understanding of what HR told</p> <p>6 Khalil would have to be done in order to terminate Mr.</p> <p>7 Pai?</p> <p>8 A I do not recall, but any terminations and</p> <p>9 hirings are typically done between the hiring manager</p> <p>10 and HR. And if HR would request additional material</p> <p>11 for termination, then hiring manager would make sure</p> <p>12 that he provides that additional information. And</p> <p>13 that's what I see in this e-mail. So she's looking for</p> <p>14 more information before she can proceed and I think in</p> <p>15 prior communication, that's what was going on. So Atif</p> <p>16 was being diligent enough to provide whatever</p> <p>17 information was needed.</p> <p>18 Q Now, Deborah Whitten, on the second page of</p> <p>19 this exhibit, asks Lisa Thompson with regard to the</p> <p>20 replacement of Mr. Pai, "At one point, you said the</p> <p>21 customer was changing the requirements for the</p> <p>22 position. Is that the case, and if so, can we get</p>
66	68
<p>1 this with HR?</p> <p>2 A I don't recall that. I think HR must have</p> <p>3 spoken to whoever they needed to talk to. So I don't</p> <p>4 think we had to discuss that. At least between Deborah</p> <p>5 and I, I don't remember having that discussion.</p> <p>6 Q Did there come a time when someone else got</p> <p>7 involved?</p> <p>8 A Not that I can recall.</p> <p>9 Q Directing your attention to the bottom half</p> <p>10 of the first page of this exhibit. This is the Atif e-</p> <p>11 mail to Lisa Thompson at 11:20 a.m. It's the one you</p> <p>12 forwarded.</p> <p>13 A Uh-huh. Yes.</p> <p>14 Q Khalil writes, "Lisa, based on your feedback</p> <p>15 on Friday" dot dot dot, then a quoted material. Was</p> <p>16 there any discussion on the preceding Friday, that is</p> <p>17 the Friday before Wednesday, October 1st, regarding</p> <p>18 this Mr. Pai, involving Lisa Thompson, Atif Khalil,</p> <p>19 and/or yourself.</p> <p>20 A I do not recall any discussion.</p> <p>21 Q The forwarded e-mail from Khalil, one that</p> <p>22 you forwarded, says, "In order to move forward with</p>	<p>1 something in writing from them?" And Lisa, right above</p> <p>2 that, sends that question to Atif. "See below from</p> <p>3 Deborah. Thanks." So HR is asking Atif to get</p> <p>4 something from the customer changing the requirements</p> <p>5 of the position?</p> <p>6 A Uh-huh. Yes.</p> <p>7 Q Yes? Now, that was in response to Atif's</p> <p>8 forwarding of the last page of that -- this exhibit.</p> <p>9 That is the e-mail from Howard Meyer EOIR to Khalil.</p> <p>10 "Atif, please proceed with replacement of Ashok Pai</p> <p>11 from the dot net team at the government request."</p> <p>12 A Yes.</p> <p>13 Q That is what Atif Khalil had sent to Lisa</p> <p>14 Thompson; right?</p> <p>15 A Yes.</p> <p>16 Q And that's what was forwarded and</p> <p>17 precipitated Deborah Whitten's request, "At one point,</p> <p>18 you said the customer was changing requirements for</p> <p>19 the position. Is that the case, and if so, can get</p> <p>20 something in writing from them?"</p> <p>21 A Yes.</p> <p>22 Q The e-mail from Khalil that you forwarded to</p>

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21 (81 to 84)

81	<p>1 <b>A I have no idea.</b></p> <p>2 <b>Q</b> Is Kiran the person doing the replacing or is</p> <p>3 Kiran the person who is being replaced?</p> <p>4 <b>A I have no idea. And these recs, by the way,</b></p> <p>5 <b>are -- sometimes are copied and pasted. So I have no</b></p> <p>6 <b>idea who Kiran is and what is the role of this person</b></p> <p>7 <b>over here.</b></p> <p>8 <b>Q</b> Looking at the first page of this exhibit</p> <p>9 bearing document page number lower right-hand corner,</p> <p>10 322.</p> <p>11 <b>A Yes.</b></p> <p>12 <b>Q</b> All right. I'm looking at the comments</p> <p>13 section on 11/02/14. It looks like 7:20 p.m. by Eddie</p> <p>14 Firosee. Mr. Firosee writes, "Have not been able to</p> <p>15 find a technically competent candidate that matches</p> <p>16 other requirements, commute, clearance, et cetera. We</p> <p>17 have done 20-plus full screens and approximately 10</p> <p>18 face-to-face interviews.</p> <p>19 Three candidates accepted other offers while</p> <p>20 we were processing them. We are flexible on the</p> <p>21 salary, on the rated salary, and have two reqs open</p> <p>22 now for (mid-level and senior). I sent a reminder to</p>	83	<p>1 <b>spreadsheet of whatever number of openings I have</b></p> <p>2 <b>within my business unit and ask for a status of how</b></p> <p>3 <b>that is going. But individual comments and things like</b></p> <p>4 <b>that, I have no idea what they are writing and --</b></p> <p>5 <b>Q</b> The requisition in this exhibit is not a mid-</p> <p>6 level requisition, is it? It says at the top senior</p> <p>7 dot net developer.</p> <p>8 <b>A Yes.</b></p> <p>9 <b>Q</b> This requisition is not mid-level; correct?</p> <p>10 <b>A Correct.</b></p> <p>11 <b>Q</b> When we were discussing the e-mail strings in</p> <p>12 Exhibit 6 and 5, where we were looking at Deborah</p> <p>13 Whitten's question, "At one point, you said the</p> <p>14 customer is changing requirements for the position,"</p> <p>15 and you gave me an opinion as to what you thought Atif</p> <p>16 was trying to do when he was answering at the bottom</p> <p>17 of the first page of Exhibit 6 with the -- some</p> <p>18 differences in Ashok's position and a new req we have</p> <p>19 opened.</p> <p>20 Do you know if the customer ever did change</p> <p>21 the requirements for the position held by Mr. Pai?</p> <p>22 <b>A For DOJ EOIR there's always change about the</b></p>
82	<p>1 the agencies yesterday to submit more candidates."</p> <p>2 Do you recall any discussion that you had</p> <p>3 concerning the filling of this requisition?</p> <p>4 <b>A No. I don't have any discussions as far as</b></p> <p>5 <b>selecting the candidates or hiring the candidates. But</b></p> <p>6 <b>looking at just the comments, basically what seems to</b></p> <p>7 <b>me is Eddie, as a recruiter, is trying to find as many</b></p> <p>8 <b>candidates as possible.</b></p> <p>9 <b>And then he's having a little challenge in</b></p> <p>10 <b>terms of finding the right candidate. So then he</b></p> <p>11 <b>opened up to more reqs. That's basically what the</b></p> <p>12 <b>comment says is what I can gather, but --</b></p> <p>13 <b>Q</b> Now, looking at the top of this page 322,</p> <p>14 first page of this deposition exhibit, it says</p> <p>15 requisition senior dot net developer. Do you believe</p> <p>16 that this requisition is an additional one, that is</p> <p>17 that there's a mid-level one referenced by Eddie, and</p> <p>18 a senior referenced by Eddie, and there's also this</p> <p>19 senior net developer requisition?</p> <p>20 <b>A I have no idea. This is the first time I'm</b></p> <p>21 <b>even looking at this req itself. Typically, the way I</b></p> <p>22 <b>managed the business is I would see an Excel</b></p>	84	<p>1 <b>requirements and the position. There's constant</b></p> <p>2 <b>something or the other. So for me to specifically</b></p> <p>3 <b>remember at what point they changed the requirement of</b></p> <p>4 <b>the position, I couldn't answer that because I</b></p> <p>5 <b>directly did not work with the customer.</b></p> <p>6 <b>Q</b> Do you know if the customer ever changed the</p> <p>7 requirements for the position held by Mr. Pai?</p> <p>8 <b>A I would say yes.</b></p> <p>9 <b>Q</b> And the basis of your knowledge is what? How</p> <p>10 do you know that's what the customer did?</p> <p>11 <b>A That would be based on the program status and</b></p> <p>12 <b>discussions with the program manager.</b></p> <p>13 <b>Q</b> That was Atif, yes?</p> <p>14 <b>A Yes.</b></p> <p>15 <b>MR. STERN:</b> Do you have any questions, Bob?</p> <p>16 <b>MR. ORTBALS:</b> No. Are you closing your</p> <p>17 examination at this point?</p> <p>18 <b>MR. STERN:</b> Subject to any re-cross after you</p> <p>19 ask questions.</p> <p>20 <b>MR. ORTBALS:</b> Okay. No. I don't have any</p> <p>21 questions.</p> <p>22 <b>MR. STERN:</b> Bob, will -- will Camber waive</p>

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